



03500.017874

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
: Examiner: L. Nguyen
YOSHIHIKO AIHARA)
: Group Art Unit: 2861
Application No.: 10/765,992)
: Filed: January 29, 2004)
: For: INK JET RECORDING)
: APPARATUS FOR)
: PERFORMING RECORDING)
: IN ACCORDANCE WITH)
: REMAINING AMOUNT OF)
: INK, AND CONTROL METHOD : April 12, 2006
: FOR THE APPARATUS)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMMENTS ON REASONS FOR ALLOWANCE

Sir:

This is a comment on the Examiner's Statement of Reasons for Allowance.

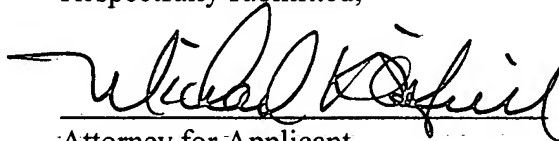
The Examiner's Reasons are seen to apply to independent Claim 1, and not to apply to independent Claim 9 in spite of the indication otherwise on page 2 of the Allowance. Specifically, the Examiner's Reasons track the language of independent Claim 1. However, the Examiner's Reasons do not track the language of independent Claim 9. As one example, independent Claim 9 is a method claim, and as a consequence does not include a "mode change means" or a "control means".

The Examiner's Reasons are therefore not seen to apply to independent Claim 9. Rather, it is the understanding of Applicant herein that Claim 9 was allowed for the reason that the method defined therein, when considered as a whole in the particular combination of steps recited by the claim, is neither anticipated nor would have been rendered obvious from the prior art.

If the Examiner's understanding of this matter is different, then he is respectfully requested to state such for the record.

Applicant's undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael K. O'Neill", is written over a horizontal line.

Attorney for Applicant

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